

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

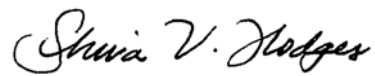
Calvin Goodman,)	C/A No.: 1:13-594-RMG-SVH
)	
Petitioner,)	
)	
vs.)	ORDER
)	
Wayne McCabe, Warden,)	
)	
Respondent.)	
)	

Petitioner, proceeding pro se and in forma pauperis, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondent Warden McCabe (“Respondent”) filed a motion for summary judgment on July 17, 2013. [Entry #19]. As Petitioner is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) on July 18, 2013, advising him of the importance of the motion for summary judgment and of the need for him to file an adequate response. [Entry #20]. Petitioner was specifically advised that if he failed to respond adequately, Respondent’s motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Petitioner has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Petitioner is directed to advise the court whether he wishes to continue with this case and to file a response to Respondent’s motion for summary judgment by September 6, 2013. Petitioner is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v.*

Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

August 23, 2013
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge